

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA )  
                              )  
v.                           )                NO. 3:11-00103  
                              )  
ALLEN ROY DEFOE and KEVIN PEEL      )

ORDER

Pending before the Court are Defendant Allen Roy DeFoe's pending motions:

1. Motion for Bill of Particulars (Docket No. 32);
2. Motion to Dismiss Count 4 of Indictment (Docket No. 33); and
3. Motion for Joinder to Adopt Co-Defendant's Pleadings (Docket No. 35).

Also before the Court are Defendant Kevin Eugene Peel's pending motions:

1. Motion to Dismiss or Elect Based on the Multiplicity of Counts Two, Three, and Four (Docket No. 29); and
2. Motion for Bill of Particulars (Docket No. 31).

The Court held a hearing on September 9, 2011, and made the following rulings as to Defendant Allen Roy DeFoe:

1. Motion for Bill of Particulars (Docket No. 32) is DENIED.
2. Motion to Dismiss Count 4 of Indictment (Docket No. 33) is DENIED.
3. Motion for Joinder to Adopt Co-Defendant's Pleadings (Docket No. 35) is GRANTED.

The Court made the following rulings as to Defendant Kevin Eugene Peel:

1. Motion to Dismiss or Elect Based on the Multiplicity of Counts Two, Three, and Four (Docket No. 29) is DENIED.

2. Motion for Bill of Particulars (Docket No. 31) is GRANTED, as to the identity of "TDOT Employee A." The Government shall provide the information to counsel for Defendants, and need not publicly disclose the information. The Motion is otherwise DENIED.

The trial of this case remains scheduled for February 14, 2012, at 9:00 a.m. and the pretrial conference remains scheduled for February 10, 2012, at 10:30 a.m.

It is so ORDERED.

Todd Campbell

TODD J. CAMPBELL  
UNITED STATES DISTRICT JUDGE